

**TOWN OF FAIRFIELD
SHELLFISH COMMISSION
MEETING MINUTES – May 12, 2010**

The Shellfish Commission of the Town of Fairfield held a meeting on May 12, 2010 at 7:30 PM in the Second Floor Conference Room of the Honorable John J. Sullivan Independence Hall, 725 Old Post Road, Fairfield, Connecticut

MEMBERS PRESENT: Edward Crowley Jr., Chairman; Sanford J. Wakeman Jr., Vice Chairman; Cathy Raynor-Catropa; David Thornton

MEMBERS ABSENT: S. James Baum, MD; Gregory D. Lanute, Secretary; Sally Harold

ALSO PRESENT: Thomas J. Steinke, Conservation Director

CALL TO ORDER: Edward Crowley Jr., Chairman, called the meeting to order at 7:35 PM

I. BILLS AND COMMUNICATIONS

A. Meeting Minutes of April 14, 2010

Sanford J. Wakeman Jr. *moved*, David Thornton *seconded* to accept the minutes of April 14, 2010. *Motion passed unanimously.*

B. Committee Reports

1. *Clam Relay/Planting:* Crowley – No report presented this evening
2. *Water and Habitat Quality:* Wakeman, Harold, Raynor-Catropa – Sanford J. Wakeman Jr. reported that he has not received anything of late from DA/BA, and that he and Cathy Raynor-Catropa plan to conduct sampling in the next few weeks.
3. *Permits and Access:* Thornton – No report presented this evening, however, the Commissioners discussed putting out a press release and holding a shellfishing clinic. The cost of printing is approximately \$600.00.
4. *Commercial Shellfish Regulations:* Crowley, Wakeman, Harold – No report presented this evening
5. *Oyster Bed Development:* Lanute, Thornton, Harold – No report presented this evening.

II. OLD BUSINESS

A. CT DEP-OLISP and US ACOE Application(s) of Philip DiGennaro, Proposed Non-Harbor Mooring in Long Island Sound, near 607 Fairfield Beach Road, Fairfield*

Thomas J. Steinke read correspondence from John Hilts, engineer for the applicant, responding to previous correspondence to them requesting that the mooring be set in the sewage outfall area. The letter indicates that the applicant declines to relocate his proposed mooring to the outfall area due to water quality concerns on the applicant's part. The letter goes on to state that the applicant will simply anchor his vessel, rather than moor it.

Thomas J. Steinke presented a draft mooring agreement for future moorings in the outfall area. He further discussed a hold harmless agreement.

Edward Crowley Jr. suggested requiring that mooring applicants carry insurance, especially with respect to covering any damage to the sewage outfall pipe.

Cathy Raynor-Catropa suggested authorizing a cap on the number of vessels moored, with discussion ensuing about the difficulty in doing that due to varying sizes of vessels being moored. The Commissioners reached a consensus that future moorings would be evaluated on a case by case basis.

Edward Crowley Jr. suggested charging a fee for mooring, and for anchoring due to damage to the bottom. He will follow up with David Carey of DA/BA.

Thomas J. Steinke recommended responding to the DEP on the DiGennaro application by approving it with the condition that the proposed mooring be located in the sewage outfall area.

Sanford J. Wakeman Jr. *moved*, David Thornton *seconded* to approve the application with conditions, namely locating the proposed mooring in the sewer outfall area and executing relevant agreements. *Motion passed unanimously.*

*Note: In this record and previous records relating to the proposed mooring by the property owner of 607 Fairfield Beach Road, said owner's last named has been spelled and used interchangeably as DiGennaro and DeGennaro.

B. CT DEP-OLISP COP #2005-001-KB, Illuzzi, 468 Sasco Hill Road; Maintenance Dredging, Replacement of Timber Pier, Aluminum Ramp & Timber Floating Dock

Thomas J. Steinke explained background information on the project and noted the applicant reconsidered and agreed to no dredging during spawning periods.

C. Review Re: Charging of Fees to Set Moorings, Anchors and Pilings in Natural Beds within Shellfish Commission's Jurisdiction - Discussion

Edward Crowley Jr. will inquire with David Carey of DA/BA.

D. Sanitary Survey of Shoreline – Discussion

Thomas J. Steinke is in the process of writing protocols for the hiring of consultants and will have the RFP soon. He briefly discussed his concerns about the scale of the project.

E. Fairfield Harbor Management Commission (HMC) – Southport Harbor Federal Navigation Project Sand Management Meeting

Correspondence from Diane Ray of ACOE is forthcoming which will confirm who has authority to alter the channel.

F. Reopening of Fairfield Recreational Shellfishing

(a) Review of MOU/Procedures & Agency Responsibility Re: Closures – Reporting

Comments have been received from relevant departments and agencies, except for DPW, WPCA and the Health Department. The MOU has also been sent to the City of Bridgeport for comment due to the impact of the West Side sewage treatment plant. Thomas J. Steinke suggested that the Commission begin a dialogue with the City of Bridgeport and the DEP regarding the city's impact on shellfish and water quality.

The Commissioners discussed the locations for recreational shellfishing and efforts to avoid conflicting with the bathing beach at Sasco.

(b) Recreational Shellfishing Permits for 2010

The permits cannot be printed until the location limits have been finalized, which involves coordination with the Country Club of Fairfield.

III. NEW BUSINESS

A. CT DEP-OLISP COP #201002506, Application of Marc Flaster to replace a section of seawall for flood and erosion control at 911 Harbor Road, Southport, CT

Thomas J. Steinke explained that the applicant's seawall had deteriorated and needs repair, but making repairs would conflict with boating season and spawning season. The applicant has postponed construction on his dock, as well as repair of his seawall, until October, after spawning season.

B. Shellfish Commission Town of Fairfield Webpage

The Shellfish Commission no longer is listed within the Conservation Commission's section on the website; it now has its own area.

IV. INFORMATIONAL

- A. 2009-2010 Budget Expenditure Status – Informational
- B. Shellfish Fund Balance – Informational
- C. License Permits issued through April 30, 2010 – Informational
- D. Website Statistics for February and March 2010 – Informational
- E. Phone calls for status of open or closed for April 2010 – Informational
- F. NOAA Sea Grant Aquaculture Research Program 2010 – Informational
- G. City of Norwalk Shellfish Commission Meeting Minutes of April 8, 2010 – Informational

V. OTHER

None

VI. PUBLIC COMMENT

None

VII. ADJOURNMENT

There being no further business to come before the Commission, Sanford J. Wakeman Jr. *moved*, David Thornton *seconded* to adjourn at 8:53 PM. *Motion passed unanimously.*

Respectfully submitted,

Anthony Monelli